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1 Daniel David Courson F69760
2 P.O. Box 799001
3 San Diego, CA 92179-9001
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FILED

2008 SEP 10 PM 1:39

CLERK US DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

BY Rm DEPUTY

8 United States District Court
9 Southern District of California

NUNC PRO TUNC

AUG 26 2008

10 Daniel David Courson,)
11 Plaintiff,) Civil Case No. 08CV0871-JAH (LSP)
12)
13 v.) Declaration in support of the
14 San Diego Sheriff's Dep.) Plaintiff's Motion for the
Cochran, et al,) Appointment of Counsel
15 Defendant)
16

17 I, Daniel David Courson, under penalty of perjury, make
18 the following declaration:

19 1. I am the plaintiff in the above entitled case. I make
20 this declaration in support of my motion for the appointment of
21 counsel.

22 2. The complaint in this case alleges that the plaintiff
23 was subjected to the misuse of force by San Diego Sheriff's
24 Deputy Cochran, whom actively and forcefully pushed him into
25 a wall in a malicious and unprovoked manner, resulting in a serious
26 injury to his right shoulder, requiring surgery, physical therapy,
27 and pain medications. He also suffered emotional and mental
28 distress as a result of Dep. Cochran's actions. Medical care was

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1 delayed and inmate greivance forms went unanswered regarding
2 the incident.

3 3. The case involves medical issues that may require expert
4 testimony.

5 4. The plaintiff has demanded a jury trial.

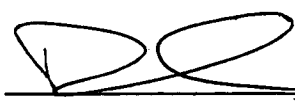
6 5. The case will require discovery of documents and
7 depositions of witnesses.

8 6. The plaintiff has no legal education or training.

9 7. The plaintiff is currently an inmate in state prison,
10 and has limited access to legal materials.

11 8. As set forth in the Points and Authorities submitted with
12 the motion for appointment of counsel, these facts, along with
13 the legal merit of the plaintiff's claims, support the appointment
14 of counsel to represent the plaintiff.

15 WHEREFORE, the plaintiff's motion for the appointment of
16 counsel should be granted.

17 
18 _____
19 Plaintiff
Daniel David Courson

Aug. 22, 2008 3:00 pm
Time/Date

20 P.O. Box 799001
21 San Diego, CA 92179-9001
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PROOF OF SERVICE BY MAIL

STATE OF CALIFORNIA)
) SS
COUNTY OF San Diego)

[C.C.P. §§ 446, 2015.5; 28 U.S.C. §1746]

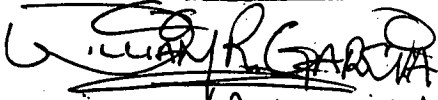
I, WILLIAM GARCIA, am a resident of the State of California and am over the age of eighteen years and am not a party to the above-entitled action. My address is listed below.

On August 22, 2008, I served the following documents:

1. Memorandum of Points and Authorities in Support of Appointment of Counsel Motion.
 2. Memorandum of Points and Authorities in Support of Motion for Addition of Supplemental Exhibits.
 3. Declaration in Support of the Plaintiff's Motion for the Appointment of Counsel.
- by placing a true copy thereof enclosed in a sealed envelope with First Class postage thereon fully prepaid in the United States Mail by delivering to prison officials for processing through the Institution's internal legal mail system at San Diego, California, addressed as follows::

United States District Court
Southern District of California
Office of the Clerk
880 Front Street, Room 4290
San Diego, CA 92101-8900

I declare under penalty of perjury under the laws of the State of California and the United States of America that the foregoing is true and correct. Executed in the County of California on August 22, 2008.



WILLIAM R. GARCIA #C91943

P.O. Box 799001

San Diego, CA 92179-9001

Pursuant to the holding of the United States Supreme Court in Houston v. Lack 108 S. Ct. 2379, 487 U.S. 266, 101 L.Ed.2d 245 (1988) and FRAP, Rule 4 (c) inmate legal documents are deemed filed on the date they are delivered to prison staff for processing and mailing via the Institution's internal legal mail procedures.